

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO,)
ex rel. State Engineer)
)
Plaintiff,)
)
vs.)
)
ROMAN ARAGON, *et al.*)
)
Defendants.)
_____)

69cv07941- MV/LFG

RIO CHAMA STREAM SYSTEM
Section 3, Canjilon Creek

Subfile N. CHCJ-003-0048

MOTION FOR SUBSTITUTION OF PARTIES

Plaintiff State of New Mexico, *ex rel.* State Engineer, under Fed. R. Civ. P.25(c), moves the Court to issue its order substituting Alex Leyba, Reyna Lebya, and Maria Leyba (“New Defendants”) for Defendant Alonzo Gallegos in these proceedings, and as grounds Plaintiff states the following:

1. A Consent Order in the name of Alonzo Gallegos for Subfile No. CHCJ-003-0048 was entered November 25, 2002, (Docket No. 6946).
2. The New Defendants have purchased the property associated with Subfile No. CHCJ-003-0048, as shown by the Warranty Deed filed with the Rio Arriba County Clerk in Book 461, Page 371 on September 5, 2003.
3. The New Defendants have filed a Change of Ownership of Water Right with the New Mexico Office of the State Engineer on September 30, 2004, for the water rights associated with Subfile No. CHCJ-003-0048.

WHEREFORE, the State of New Mexico requests the Court to enter its order substituting Alex Leyba, Reyna Leyba, and Maria Leyba for Defendant Alonzo Gallegos in these proceedings.

Respectfully submitted,

/s/ Gary B. Storm
Gary B. Storm
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 19, 2013, I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF Participants via first class mail, postage prepaid addressed as follows:

Alex Leyba
Reyna Leyba
Maria Leyba
P.O. Box 451
Canjilon, New Mexico 87515

Alonzo Gallegos
813 S. McCurdy Rd.
Espanola, New Mexico 87532

/s/ Gary B. Storm
Gary B. Storm